

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

<p><b>IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE LITIGATION</b></p> <p>THIS DOCUMENT RELATES TO:</p> <p><i>The City of New York v. Abbott Laboratories, Inc., et al.</i> (S.D.N.Y. No. 04-CV-06054)</p> <p><i>County of Albany v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00425)</p> <p><i>County of Allegany v. Abbott Laboratories, Inc., et al.</i> (W.D.N.Y. No. 05-CV-06231)</p> <p><i>County of Broome v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00456)</p> <p><i>County of Cattaraugus v. Abbott Laboratories, Inc., et al.</i> (W.D.N.Y. No. 05-CV-06242)</p> <p><i>County of Cayuga v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00423)</p> <p><i>County of Chautauqua v. Abbott Laboratories, Inc., et al.</i> (W.D.N.Y. No. 05-CV-06204)</p> <p><i>County of Chemung v. Abbott Laboratories, Inc., et al.</i> (W.D.N.Y. No. 05-CV-06744)</p> <p><i>County of Chenango v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00354)</p> <p><i>County of Columbia v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00867)</p> <p><i>County of Cortland v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00881)</p> <p><i>County of Dutchess v. Abbott Laboratories, Inc., et al.</i> (S.D.N.Y. No. 05-CV-06458)</p> <p><i>County of Essex County v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00878)</p> <p><i>County of Fulton v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00519)</p>	<p>MDL NO. 1456 Civil Action No. 01-12257-PBS Subcategory Case No. 03-10643-PBS</p> <p>Judge Patti B. Saris</p> <p><b>NOTICE OF VOLUNTARY DISMISSAL OF PLAINTIFFS' CLAIMS AGAINST FUJISAWA USA, INC. AND FUJISAWA HEALTHCARE, INC.</b></p>
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<p><i>County of Genesee v. Abbott Laboratories, Inc., et al.</i> (W.D.N.Y. No. 05-CV-06206)</p>	
<p><i>County of Greene v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00474)</p>	
<p><i>County of Herkimer v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00415)</p>	
<p><i>County of Jefferson v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00715)</p>	
<p><i>County of Lewis v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00839)</p>	
<p><i>County of Madison v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00714)</p>	
<p><i>County of Monroe v. Abbott Laboratories, Inc., et al.</i> (W.D.N.Y. No. 05-CV-06148)</p>	
<p><i>County of Nassau v. Abbott Laboratories, Inc., et al.</i> (E.D.N.Y. No. 04-CV-5126)</p>	
<p><i>County of Niagara v. Abbott Laboratories, Inc., et al.</i> (W.D.N.Y. No. 05-CV-06296)</p>	
<p><i>County of Oneida v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00489)</p>	
<p><i>County of Onondaga v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00088)</p>	
<p><i>County of Ontario v. Abbott Laboratories, Inc., et al.</i> (W.D.N.Y. No. 05-CV-06373)</p>	
<p><i>County of Orleans v. Abbott Laboratories, Inc., et al.</i> (W.D.N.Y. No. 05-CV-06371)</p>	
<p><i>County of Putnam v. Abbott Laboratories, Inc., et al.</i> (S.D.N.Y. No. 05-CV-04740)</p>	
<p><i>County of Rensselaer v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00422)</p>	
<p><i>County of Rockland v. Abbott Laboratories, Inc., et al.</i> (S.D.N.Y. No. 03-CV-7055)</p>	
<p><i>County of Saratoga v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00478)</p>	

*County of Schuyler v. Abbott Laboratories, Inc., et al.*  
(W.D.N.Y. No. 05-CV-06387)

*County of Seneca v. Abbott Laboratories, Inc., et al.*  
(W.D.N.Y. No. 05-CV-06370)

*County of St. Lawrence v. Abbott Laboratories, Inc., et al.*  
(N.D.N.Y. No. 05-CV-00479)

*County of Steuben v. Abbott Laboratories, Inc., et al.*  
(W.D.N.Y. No. 05-CV-06223)

*County of Suffolk v. Abbott Laboratories, Inc., et al.*  
(E.D.N.Y. No. CV-03-229)

*County of Tompkins v. Abbott Laboratories, Inc., et al.*  
(N.D.N.Y. No. 05-CV-00397)

*County of Ulster v. Abbott Laboratories, Inc., et al.*  
(N.D.N.Y. No. 06-CV-0123)

*County of Warren v. Abbott Laboratories, Inc., et al.*  
(N.D.N.Y. No. 05-CV-00468)

*County of Washington v. Abbott Laboratories, Inc., et al.*  
(N.D.N.Y. No. 05-CV-00408)

*County of Wayne v. Abbott Laboratories, Inc., et al.*  
(W.D.N.Y. No. 05-CV-06138)

*County of Westchester v. Abbott Laboratories, Inc., et al.*  
(S.D.N.Y. No. 03-CV-6178)

*County of Wyoming v. Abbott Laboratories, Inc., et al.*  
(W.D.N.Y. No. 03-CV-6379)

*County of Yates v. Abbott Laboratories, Inc., et al.*  
(W.D.N.Y. No. 05-CV-06172)

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, by and through their respective attorneys, pursuant to Fed. R. Civ. Pro. 41, that all claims in this action against Fujisawa USA, Inc. and Fujisawa Healthcare, Inc. are dismissed with prejudice and without costs to any party.

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By: /s/  
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On Behalf of the Plaintiff Counties and all  
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On Behalf of Defendants Fujisawa USA, Inc. and  
Fujisawa Healthcare, Inc.

Dated: February 16, 2010

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FOR THE DISTRICT OF MASSACHUSETTS**

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<p>THIS DOCUMENT RELATES TO:</p> <p><i>The City of New York v. Abbott Laboratories, Inc., et al.</i> (S.D.N.Y. No. 04-CV-06054)</p> <p><i>County of Albany v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00425)</p> <p><i>County of Allegany v. Abbott Laboratories, Inc., et al.</i> (W.D.N.Y. No. 05-CV-06231)</p> <p><i>County of Broome v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00456)</p> <p><i>County of Cattaraugus v. Abbott Laboratories, Inc., et al.</i> (W.D.N.Y. No. 05-CV-06242)</p> <p><i>County of Cayuga v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00423)</p> <p><i>County of Chautauqua v. Abbott Laboratories, Inc., et al.</i> (W.D.N.Y. No. 05-CV-06204)</p> <p><i>County of Chemung v. Abbott Laboratories, Inc., et al.</i> (W.D.N.Y. No. 05-CV-06744)</p> <p><i>County of Chenango v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00354)</p> <p><i>County of Columbia v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00867)</p> <p><i>County of Cortland v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00881)</p> <p><i>County of Dutchess v. Abbott Laboratories, Inc., et al.</i> (S.D.N.Y. No. 05-CV-06458)</p> <p><i>County of Essex County v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00878)</p> <p><i>County of Fulton v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00519)</p>	<p>MDL NO. 1456 Civil Action No. 01-12257-PBS</p> <p>Judge Patti B. Saris</p> <p><b>[PROPOSED] ORDER OF DISMISSAL OF FUJISAWA USA, INC. AND FUJISAWA HEALTHCARE, INC.</b></p>

<p><i>County of Genesee v. Abbott Laboratories, Inc., et al.</i> (W.D.N.Y. No. 05-CV-06206)</p>	
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<p><i>County of Lewis v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00839)</p>	
<p><i>County of Madison v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00714)</p>	
<p><i>County of Monroe v. Abbott Laboratories, Inc., et al.</i> (W.D.N.Y. No. 05-CV-06148)</p>	
<p><i>County of Nassau v. Abbott Laboratories, Inc., et al.</i> (E.D.N.Y. No. 04-CV-5126)</p>	
<p><i>County of Niagara v. Abbott Laboratories, Inc., et al.</i> (W.D.N.Y. No. 05-CV-06296)</p>	
<p><i>County of Oneida v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00489)</p>	
<p><i>County of Onondaga v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00088)</p>	
<p><i>County of Ontario v. Abbott Laboratories, Inc., et al.</i> (W.D.N.Y. No. 05-CV-06373)</p>	
<p><i>County of Orange v. Abbott Laboratories, Inc., et al.</i> (S.D.N.Y. No. 07-CV-2777)</p>	
<p><i>County of Orleans v. Abbott Laboratories, Inc., et al.</i> (W.D.N.Y. No. 05-CV-06371)</p>	
<p><i>County of Putnam v. Abbott Laboratories, Inc., et al.</i> (S.D.N.Y. No. 05-CV-04740)</p>	
<p><i>County of Rensselaer v. Abbott Laboratories, Inc., et al.</i> (N.D.N.Y. No. 05-CV-00422)</p>	
<p><i>County of Rockland v. Abbott Laboratories, Inc., et al.</i> (S.D.N.Y. No. 03-CV-7055)</p>	

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(N.D.N.Y. No. 05-CV-00478)

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*County of Seneca v. Abbott Laboratories, Inc., et al.*  
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*County of St. Lawrence v. Abbott Laboratories, Inc., et al.*  
(N.D.N.Y. No. 05-CV-00479)

*County of Steuben v. Abbott Laboratories, Inc., et al.*  
(W.D.N.Y. No. 05-CV-06223)

*County of Suffolk v. Abbott Laboratories, Inc., et al.*  
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*County of Tompkins v. Abbott Laboratories, Inc., et al.*  
(N.D.N.Y. No. 05-CV-00397)

*County of Ulster v. Abbott Laboratories, Inc., et al.*  
(N.D.N.Y. No. 06-CV-0123)

*County of Warren v. Abbott Laboratories, Inc., et al.*  
(N.D.N.Y. No. 05-CV-00468)

*County of Washington v. Abbott Laboratories, Inc., et al.*  
(N.D.N.Y. No. 05-CV-00408)

*County of Wayne v. Abbott Laboratories, Inc., et al.*  
(W.D.N.Y. No. 05-CV-06138)

*County of Westchester v. Abbott Laboratories, Inc., et al.*  
(S.D.N.Y. No. 03-CV-6178)

*County of Wyoming v. Abbott Laboratories, Inc., et al.*  
(W.D.N.Y. No. 03-CV-6379)

*County of Yates v. Abbott Laboratories, Inc., et al.*  
(W.D.N.Y. No. 05-CV-06172)

The Motion for Dismissal is hereby GRANTED. All claims in this action against Fujisawa USA, Inc. and Fujisawa Healthcare, Inc. are dismissed with prejudice and without costs to any party.

SO ORDERED.

DATED: \_\_\_\_\_, 2010

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Judge Patti B. Saris